The Turkish Competition Board's Sahibinden Commitment Decision: A Closer Look at Digital Platform Commitments

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1. Introduction

On December 25, 2025, the Turkish Competition Board ("***Board***") accepted the revised commitments submitted by Sahibinden Bilgi Teknolojileri Pazarlama ve Ticaret A.Ş. ("***Sahibinden***") and terminated the investigation launched against Sahibinden under Article 6 of Law No. 4054 on the Protection of Competition ("***Law No. 4054***") concerning alleged leveraging practices associated with Sahibinden's Otobid service. [2]

Although the investigation was concluded without a finding of infringement, the decision provides important guidance on the Board's approach to digital platform cases and behavioral commitments in abuse of dominance investigations. In particular, it illustrates how the Board assesses concerns relating to data use, user steering and leveraging in digital ecosystems, as well as the effectiveness of behavioral commitments in addressing those concerns.

In this regard, this article first outlines the background of the investigation and the Board's principal competition concerns before examining the commitment process and the Board's assessment of the revised commitments. It concludes with several observations on the decision's broader significance for digital platform investigations and commitment practice under Turkish competition law.

2. Background

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[2] The Board's decision dated 25.12.2025 and numbered 25-49/1208-683.

Sahibinden operates one of Türkiye's leading online platform services, bringing together sellers and potential buyers across a wide range of listing categories, including vehicles. In November 2023, Sahibinden launched Otobid, a service enabling individual vehicle owners to sell their vehicles to corporate buyers through an online auction mechanism, thereby expanding its activities into the market for online second-hand vehicle purchase and sale services.

Against this background, the Board initiated an investigation into whether Sahibinden had leveraged the advantages stemming from its dominant position in the online vehicle listing platform services markets into the adjacent market for online second-hand vehicle purchase and sale services. In particular, the investigation examined whether Sahibinden had used non-public user and listing data for Otobid, promoted Otobid through its platform, and relied on intensive advertising activities.

During the investigation, Sahibinden submitted commitments addressing the Board's competition concerns. The Board considered the commitments relating to data use, platform displays and user redirections to be sufficient, but concluded that the proposed advertising-related commitment did not adequately address the identified competition concerns. Following the submission of a revised commitment package, the Board accepted the commitments, rendered them binding on Sahibinden and terminated the investigation without a finding of infringement.

3. Competition Concerns Identified During the Investigation

The Board identified two principal categories of competition concerns arising from Sahibinden’s launch of Otobid. First, it examined whether Sahibinden’s use of user and listing data obtained through its online vehicle listing services could provide Otobid with an advantage in the market for online second-hand vehicle purchase and sale services (i.e., data-related concerns). Second, it assessed whether Sahibinden’s advertising, promotional activities and user steering practices could produce exclusionary effects by increasing Otobid’s visibility and user traffic (i.e., advertising-related concerns).

3.1. Data-Related Concerns

The Board examined whether data collected through Sahibinden's online vehicle listing services, together with data generated through Otobid and AutoKing Ekspertiz A.Ş. (“***AutoKing***”), could be combined or used across services in a way that conferred a competitive advantage on Otobid. In this context, the Board referred to market participants' views that Sahibinden's extensive vehicle listing data, together with its vertically integrated structure, enabled Otobid to benefit from an advantage that competing undertakings could not readily replicate.

Although Sahibinden stated that data obtained through its different services were not combined, the Board observed that the relevant services operated within a common technical infrastructure and noted findings indicating that listing-related data had, for a certain period, been used to identify potential Otobid users and contact them through push notifications. Against this background, the Board expressed concerns that data obtained in the markets where Sahibinden held a dominant position could be used to support Otobid's activities in the adjacent market, potentially reinforcing barriers to entry and expansion for competing undertakings.

3.2. Advertising-Related Concerns

The Board also assessed whether Sahibinden's platform visibility and advertising activities enabled Otobid to benefit from the advantages associated with Sahibinden's dominant position. In particular, it examined Otobid displays and promotions on the Sahibinden platform, including during the vehicle listing process, as well as the company's advertising expenditure outside the platform.

The Board considered that the combination of platform-based promotions, user redirections and intensive advertising activities could increase Otobid's visibility and user traffic, thereby strengthening its position in the adjacent market. It therefore expressed concerns that Sahibinden could transfer the advantages associated with its dominant position in the online vehicle listing platform services markets into the adjacent market for online second-hand vehicle purchase and sale services, thereby producing exclusionary effects for competing undertakings.

4. Commitments Submitted by Sahibinden

During the investigation, Sahibinden submitted a commitment package intended to address the Board's concerns relating to data use and advertising. In short, Sahibinden committed to (i) removing Otobid displays from its website and mobile application; (ii) discontinuing user redirections to Otobid during the vehicle listing process; (iii) preventing the use of non-public data obtained through its individual and corporate vehicle listing services for the benefit of Otobid by implementing the necessary organizational, operational, administrative and technical measures; and (iv) introducing a mechanism aimed at addressing the Board's concerns regarding advertising expenditure.

The proposed data-related commitments extended beyond simply restricting the use of non-public data. Sahibinden also committed to implementing measures designed to ensure an effective separation between its online vehicle listing services and Otobid, including the separation of relevant systems and databases, restrictions on data flows between the services, organizational safeguards, and revisions to its internal data governance framework and user documentation. Through these measures, Sahibinden sought to prevent non-public data obtained through its vehicle listing services from being used to support Otobid's activities.

The Board reached a different conclusion with respect to the proposed advertising-related commitment. While the Board considered the first three commitments capable of addressing the identified competition concerns, it found the proposed advertising-related commitment insufficient and invited Sahibinden to submit a revised commitment.

4.1. The Board’s Assessment of the First Commitment Package

4.1.1. Data-Related Commitments

With respect to the data-related concerns, the Board examined the first three commitments against the concern that Sahibinden could leverage the extensive and detailed data accumulated through its online vehicle listing services, together with data obtained through its related activities, thereby creating or increasing barriers to entry in the adjacent market. The Board also noted that the first three commitments largely reflected the interim measures adopted at the outset of the investigation and extended those measures for the duration of the commitments.

The Board found that the first two commitments, namely the removal of Otobid displays from Sahibinden's website and mobile application and the discontinuation of user redirections during the vehicle listing process, adequately addressed the concerns relating to platform visibility and user steering. With respect to the third commitment, the Board considered that the proposed measures ensuring the functional separation of Sahibinden's online vehicle listing services and Otobid, together with restrictions on the use of non-public vehicle listing data, were sufficient to prevent the transfer of data between the two services.

In reaching this conclusion, the Board emphasized that the commitments established an effective framework for separating the relevant services, preventing the use of non-public data across services, and enabling compliance to be monitored. On that basis, it concluded that the first three commitments were proportionate to the identified competition concerns, capable of eliminating those concerns, capable of prompt implementation and effectively enforceable.

4.1.2. Advertising-Related Commitment

The Board reached a different conclusion with respect to the advertising-related commitment. Although it acknowledged that the mechanism sought to limit Otobid's advertising expenditure, it found that the commitment was not capable of eliminating the identified competition concerns. In particular, the Board considered that calculating advertising limits by reference to Otobid's transaction value was not appropriate, as transaction value did not reflect Otobid's actual revenues and did not address the concern arising from Sahibinden's financial strength. The Board also considered that the mechanism would allow advertising expenditure at a level substantially exceeding Sahibinden's existing advertising intensity. It further found that the proposed GRP (i.e., gross rating points) and advertising spot-based limitations did not correspond to the concern regarding the overall level of Otobid's advertising expenditure.

The Board also found that the proposed market share and sales thresholds would become applicable only after the competitive effects sought to be prevented had already materialized and would create practical difficulties in monitoring compliance, including due to the ambiguity surrounding the proposed market share threshold. It was therefore concluded that this commitment was not proportionate to the identified advertising-related concerns, was not capable of eliminating them, and was not capable of prompt and effective implementation.

Accordingly, the Board rejected the first commitment package and granted Sahibinden a one-time opportunity to revise the advertising-related commitment.

4.2. The Revised Commitment Package

Under the revised commitment, Sahibinden replaced the transaction-value-based mechanism with a revenue-based mechanism. Accordingly, if Otobid's total C2B vehicle sales exceeded the specified threshold during any fiscal year within the commitment period, then, starting from the first day of the second month following the month in which the threshold was exceeded and continuing for the remainder of that fiscal year and the following fiscal year, the revenues generated from Otobid services would be required to cover Otobid's variable costs and advertising expenditures. If the relevant sales threshold was not exceeded by the end of a fiscal year, the obligation would not apply during the following fiscal year. In addition, Sahibinden undertook to submit annual compliance reports to the Authority within 60 days following the end of each relevant fiscal year.

4.3. The Board’s Assessment of the Revised Commitment Package

The Board considered that the revised commitment directly addressed the identified competition concern. It clarified that the concern was not Otobid's growth as such, but the possibility that Sahibinden could use the financial strength derived from its dominant position in the online vehicle listing services markets to support Otobid's advertising activities. Accordingly, the Board considered the revised revenue-based mechanism more closely aligned with the identified competition concern than the transaction-value-based mechanism proposed in the first commitment package.

The Board also considered the revised revenue-based mechanism to be more closely aligned with the identified competition concern. Once the relevant sales threshold was exceeded, Otobid’s advertising expenditures and variable costs would have to be financed exclusively through revenues generated from Otobid services. Unlike the transaction-value parameter proposed in the first commitment package, the Board considered that this mechanism reflected Otobid’s actual revenues and ensured that advertising activities would not be financed through revenues generated from Sahibinden’s other businesses, particularly its online vehicle-listing services.

The Board further found that the revised commitment was capable of being implemented within a short period of time. Although the mechanism would become applicable from the second month following the month in which the sales threshold was exceeded, rather than immediately in the following month, the Board considered this one-month transition period reasonable because it would allow Sahibinden to revise or, where necessary, terminate existing advertising procurement and similar agreements with third parties.

5. Conclusion

The decision provides further insight into the Board's approach to digital platform cases involving expansion into adjacent markets. The decision shows that, where a dominant platform operates across related services, the Board may assess not only the use of data, but also platform visibility, user steering mechanisms and advertising practices as part of its analysis of whether advantages derived from one market are capable of affecting competition in another.

The decision is equally noteworthy from the perspective of the Board's commitment practice. Rather than accepting the commitments as a whole, the Board assessed each commitment against the specific competition concern it was intended to address, considered the first three commitments capable of addressing the identified competition concerns, and required the revision of the advertising-related commitment before terminating the investigation. This illustrates that the Board expects commitments not only to correspond to the identified competition concerns, but also to provide a practical and verifiable solution capable of addressing those concerns.

As digital platform investigations continue to focus on data use, ecosystem expansion and leveraging theories, the decision is likely to serve as an important reference point both for the design of behavioral commitments and for the Board's assessment of similar practices in future cases.

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